

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION**

:
:
:
:
:

**MDL No. 2323
12-md-2323**

**APPLICATION OF ANTHONY G. BUZBEE FOR APPOINTMENT TO
THE PLAINTIFFS' STEERING COMMITTEE**

Pursuant to Case Management Order No. 1 (ECF No. 4), Anthony G. Buzbee, of the Buzbee Law Firm, respectfully submits and files this application for membership to the Plaintiffs' Steering Committee ("PSC") for this proceeding and in support would show as follows:

1. I represent several former NFL players who are suffering from concussion-related injuries incurred during their time playing in the NFL.

2. I understand that I am filing this application after the Court imposed deadline of April 4, 2012, as set forth in Case Management Order No. 1. To date, the two cases my firm has filed in this litigation were not transferred to this Court until March 14 and March 29, 2012, after the Court entered Case Management Order No. 1. Further, while our cases were added to this Court's docket upon transfer, apparently, my firm was not added to the list of parties to receive electronic notices and orders from the Court until April 19, 2012. As such, neither I nor anyone at my firm was aware of the April 4, 2012 deadline until yesterday. I have read, understand, and agree to the PSC's responsibilities as set forth in Case Management Order No. 1. It would be an honor for me to be selected by the Court to serve.

3. I stand ready, willing, and able to commit all time and resources (personally and by my law firm) necessary to represent all plaintiffs in this litigation. My firm is financially capable of meaningfully assisting in the financing of this litigation and is committed to this important litigation.

4. I respectfully submit that I and my firm have the knowledge, experience, and education necessary for membership in the PSC in this MDL.

a. I attended Texas A&M University on a NROTC scholarship. At Texas A&M, I was a Distinguished Naval Graduate Student, and was recognized as the Outstanding Commander in the Corps of Cadets. Following graduation, I entered the United States Marine Corps, in which I was recognized during my initial training as an Honor Graduate; receiving the highest leadership score out of more than 200 other Marine Lieutenants. I continued my service as a Marine Corps infantry officer; serving in the Persian Gulf and Somali conflicts, where I commanded various Marine infantry and special operation units. I also commanded the elite Recon Company of the historic First Marine Regiment. While a Special Forces Recon officer, I

received various awards, including top leadership awards from the rigorous Navy Dive School in Hawaii, and the Amphibious Reconnaissance Course in California. Ultimately, I earned the rank of Captain, and was awarded the prestigious Navy Commendation Medal.

b. Upon the completion of my service in the Marines, I entered law school at the University of Houston Law Center, where I served as the Managing Editor of the *Houston Law Review*, was elected Class Captain, and was a member of the Order of the Coif, Order of the Barristers, and Order of the Barons. Among other awards, I received the Stephen S. Rudolph scholarship, the *Corpus Juris Secundum* Award, the Porter & Hedges Writing Award, and the Andrew & Kurth Award. I graduated *Summa Cum Laude*, finishing second in my class.

c. Subsequent to law school, I served as a briefing attorney for the Southern District of Texas, Galveston Division, followed by Susman Godfrey, LLP in Houston. In 2001, I started my own firm, headquartered on the 73rd floor of the JP Morgan Chase Tower in downtown Houston. Currently, the Buzbee Law Firm has fourteen (14) attorneys and a well-trained, capable support staff.

d. I have been named over the years to various “Best Lawyers” lists. In this regard, in 2002, at the age of 34, I was named by my peers in the Texas Lawyer as one of the five “Go To” lawyers in the State of Texas for Plaintiff’s Commercial Litigation. I have been sought out and have spoken repeatedly at CLE’s regarding jury selection, trial practice, and other topics pertinent to trial lawyers, and have published various articles pertaining to trial practice. I am also routinely hired by other firms to simply try cases or take key depositions.

e. In addition to my legal activities, I currently serve on the Board of Director of Hometown Back and Jesse Tree (a nonprofit organization that assists the homeless and those in need in Galveston and Brazoria Counties). I am also President of Buzbee Properties, Inc., a property development company that has been recognized for its efforts to revitalize historic downtown Friendswood. I was appointed by the Governor and served on the Board of Visitors of Texas A&M Galveston. I have also served as Director of the Houston Law Alumni Foundation and as Chairman of the Galveston County Democratic Party.

f. Currently, I am teaching a course on Litigating Contract Disputes at the University of Houston Law Center with Professor Steve Zamora.

5. I have significant experience in mass tort and MDL matters.

a. I currently serve as Plaintiffs’ Liason Counsel and on the Plaintiffs’ Steering Committee in the MDL No. 10-UC-0001, *In re Texas City Refinery Ultracracker Emissions Event Litigation*, in which my firm represents over 20,000 clients. Judge Lonnie Cox may attest to my service and dedication as a member of the Steering Committee.

b. I currently serve on the Plaintiffs’ Steering Committee in the MDL No. 1873, *In re FEMA Formaldehyde Trailer Litigation*. I tried two trials in that MDL, including the first bellwether trial.

Judge Kurt Engelhardt, Eastern District of Louisiana, may attest to my service on that MDL and my abilities as a courtroom lawyer.

c. I serve on the Plaintiffs' Steering Committee for litigation involving Hurricane Ike insurance claims before Judge Susan Criss in Galveston. I was appointed class counsel on the slab portion of the litigation, in which I was asked by my peers to take the lead role in the key depositions and mediation presentation. My efforts in this litigation led to a \$189 million settlement for policy holders.

d. I served on the Plaintiffs' Steering Committee for litigation against BP pertaining to the 2005 ISOM explosion at Texas City, where I represented over 160 plaintiffs. I, along with the two other attorneys, took the deposition of John Manzoni, the second in command at BP. Our efforts lead to a very favorable settlement for thousands of other plaintiffs.

e. Following the collapse of drilling rig Parker 14J off the coast of Louisiana in early 2002, I represented seven injured workers in limitation proceedings on file in Federal Court. In addition, I headed all discovery and depositions and was appointed lead trial counsel. Settlement in this case was favorable to workers but confidential.

f. In 2003, a vessel collision in the Houston Ship Channel injured multiple workers; killing one. During litigation, my firm took the lead in depositions and other discovery efforts; ultimately trying and winning the limitation proceedings, which allowed the clients' claims to be tried in state court.

g. In 2001, I served as lead counsel in a ground breaking antitrust , wage-fixing, class action, representing thousands of offshore workers who claimed that the offshore drilling industry had conspired to suppress wages. I personally took every deposition and reviewed every document in that case. I negotiated a \$75 million class settlement, which was approved by the U.S. District Court.

h. I am lead counsel in a limitation proceeding for more than 10, 000 individuals exposed to Hydrogen Sulfide as a result of a vessel collision in the Port Arthur Ship Channel.

i. I served as lead counsel for a class of maritime workers bringing claims Against their employer relating to asbestos exposure. I negotiated a class-wide settlement for the class, which approved by the U.S. District Court.

j. I served as lead counsel on a multi-party case brought on behalf of payphone operators against Southwestern Bell, worked cooperatively with the other attorneys involved, and resolved that case on favorable basis.

k. I served as lead counsel for Spain's Basque government, and several cities in Spain, in claims brought against a marine classification society relating to sinking of the oil tanker Prestige, which resulted in the largest oil spill in Spanish history. A portion of the case settled for \$70 million.

6. I have significant trial experience. I have multiple multi-million dollar verdicts.

a. In December, 2009, as lead counsel for all other involved attorneys, I obtained a \$100.3 million dollar jury verdict in Federal Court for ten bellwether plaintiffs against BP in a case involving two chemical releases in 2007 at the BP Texas City. This is the largest verdict ever awarded against BP. My firm's efforts led to the settling of the remaining 150 cases.

b. I have obtained the highest recorded bench and jury verdicts in the Galveston Division of the Southern District of Texas. I have been hired by other attorneys in the Galveston Division of the Southern District of Texas.

7. Accordingly, I respect request that the Court appoint me to the PSC for this MDL. I will work cooperatively with all counsel and this Court. It would be an honor to serve.

Dated: April 20, 2012.

Respectfully submitted,

THE BUZBEE LAW FIRM

By: /s/ Anthony G. Buzbee
Anthony G. Buzbee
State Bar No. 24001820
JP Morgan Chase Tower
600 Travis, Ste 7300
Houston, Texas 77002
Tel: 713.223.5393
Fax: 713.223.5909
www.txattorneys.com